

Form 149

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

Brandy Nicole Bartlett
fka Brandy Nicole Spence
Debtor(s)

Bankruptcy Case No.: 19-24461-TPA
Per May 21, 2020 proceeding
Chapter: 13
Docket No.: 34 - 20, 24, 28
Concl. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 9, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. *A final plan conciliation conference will be held on at , in .* If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- H. Additional Terms: A fee application is needed if any fee, including retainer, exceeds \$4,000, including any fees paid to prior counsel.

(2.) *IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:*

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

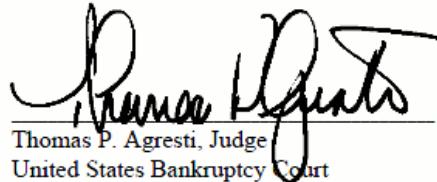
C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any *secured claim* that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: May 27, 2020



Thomas P. Agresti, Judge
United States Bankruptcy Court

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Brandy Nicole Bartlett
 Debtor

Case No. 19-24461-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: lmar
Form ID: 149Page 1 of 2
Total Noticed: 46

Date Rcvd: May 27, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 29, 2020.

db +Brandy Nicole Bartlett, 420 Pearl Street, Brownsville, PA 15417-2139
 cr Educational Credit Management Corporation, PO Box 16408, St. Paul, MN 55116-0408
 15158115 +Aes/pheaa, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
 15158119 +CBCS, P.O. Box 2724, Columbus, OH 43216-2724
 15158120 +CBCS / Childrens Hosp UPMC, P.O. Box 2724, Columbus, OH 43216-2724
 15158121 +CBCS / Mon Valley Hosp., P.O. Box 2724, Columbus, OH 43216-2724
 15158117 +Capital One Bank, c/o Hayt Hayt & Landau, 2 Industrial way West, P.O. Box 500, Eatontown, NJ 07724-0500
 15158118 +Carrington Mortgage Services, Attn: Bankruptcy, Po Box 3730, Anaheim, CA 92803-3730
 15188635 +Carrington Mortgage Services, LLC, 1600 South Douglass Road, Anaheim, CA 92806-5951
 15158122 Childrens Community Pediatrics, 112729 Perry Hwy., Wexford, PA 15090
 15158125 +Discover Bank, c/o Weltman Weinberg & Reis, 436 7th Ave., Suite 2500, Pittsburgh, PA 15219-1842
 15158127 +Dr. Jonathan Krizner, 600 Cherry Tree Lane, Uniontown, PA 15401-8947
 15223554 Educational Credit Management Corporation, P.O. Box 16408, St. Paul, MN 551160408
 15158128 +Fayette Federal Employees Credit Union, 364 Morgantown Street, Uniontown, PA 15401-4841
 15158129 +Imaging Assoc. Greater PGH, P.O. Box 90218, Pittsburgh, PA 15224-0718
 15184397 +Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
 15158130 +Monongahela Valley Hosp., 1163 Country Club Road, Monongahela, PA 15063-1095
 15172714 +PHEAA FRN, c/o PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
 15158132 +Portfolio Recovery / Synchrony / Care Cr, Attn: Bankruptcy, 120 Corporate Blvd, Norfolk, VA 23502-4952
 15158137 +Target, Attn: Bankruptcy, Po Box 9475, Minneapolis, MN 55440-9475
 15158139 +The Bureaus Inc / Cao One Bank, Attn: Bankruptcy, 650 Dundee Rd, Ste 370, Northbrook, IL 60062-2757
 15184727 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
 15158140 +USDOE/GLELSI, Attn: Bankruptcy, Po Box 7860, Madison, WI 53707-7860
 15241295 USDOE/GLELSI, P.O. Box 530229, Atlanta, GA 30353-0229

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 28 2020 08:39:52
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15187283 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 28 2020 08:39:52
 Bureaus Investment Group Portfolio No 15 LLC, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
 15158116 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com May 28 2020 04:36:07 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 15162853 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com May 28 2020 04:37:07
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
 15188635 +E-mail/Text: BKBCNMAIL@carringtonms.com May 28 2020 04:32:09
 Carrington Mortgage Services, LLC, 1600 South Douglass Road, Anaheim, CA 92806-5951
 15158123 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM May 28 2020 04:32:43 Comenity Bank/Bon Ton,
 Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
 15158124 +E-mail/PDF: creditonebknotifications@resurgent.com May 28 2020 04:36:12 Credit One Bank,
 Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
 15158126 E-mail/Text: mrdiscen@discover.com May 28 2020 04:32:13 Discover Financial,
 Attn: Bankruptcy Department, Po Box 15316, Wilmington, DE 19850
 15176447 E-mail/Text: G06041@att.com May 28 2020 04:33:39 Directv, LLC,
 by American InfoSource as agent, PO Box 5008, Carol Stream, IL 60197-5008
 15161760 E-mail/Text: mrdiscen@discover.com May 28 2020 04:32:13 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 15185527 E-mail/Text: JCAP_BNC_Notices@jcap.com May 28 2020 04:33:34 Jefferson Capital Systems LLC,
 Po Box 7999, Saint Cloud Mn 56302-9617
 15180493 E-mail/PDF: resurgentbknotifications@resurgent.com May 28 2020 04:36:23 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15165040 E-mail/PDF: cbp@onemainfinancial.com May 28 2020 04:35:06 ONEMAIN, PO BOX 3251,
 EVANSVILLE, IN. 47731-3251
 15158131 +E-mail/PDF: cbp@onemainfinancial.com May 28 2020 04:36:49 OneMain Financial,
 Attn: Bankruptcy, Po Box 3251, Evansville, IN 47731-3251
 15175000 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 28 2020 08:39:52
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk, VA 23541
 15158134 +E-mail/PDF: gecsedri@recoverycorp.com May 28 2020 04:37:00 Syncb/Levin Furniture,
 Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
 15158133 +E-mail/PDF: gecsedri@recoverycorp.com May 28 2020 04:36:02 Syncb/jcp, Po Box 965007,
 Orlando, FL 32896-5007
 15158747 +E-mail/PDF: gecsedri@recoverycorp.com May 28 2020 04:35:13 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15185599 +E-mail/PDF: gecsedri@recoverycorp.com May 28 2020 04:35:13 Synchrony Bank,
 c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
 15158135 +E-mail/PDF: gecsedri@recoverycorp.com May 28 2020 04:36:02 Synchrony Bank/Lowes,
 Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
 15158136 +E-mail/PDF: gecsedri@recoverycorp.com May 28 2020 04:36:02 Synchrony Bank/Walmart,
 Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060

District/off: 0315-2

User: lmar
Form ID: 149

Page 2 of 2
Total Noticed: 46

Date Rcvd: May 27, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)

15158138 +E-mail/Text: paparalegals@pandf.us May 28 2020 04:34:07 TD Bank, c/o Patenaude & Felix,
501 Corporate Drive, Suite 205, Canonsburg, PA 15317-8584
15189222 +E-mail/Text: bncmail@w-legal.com May 28 2020 04:33:28 TD Bank USA, N.A.,
C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
TOTAL: 23

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
cr Carrington Mortgage Services LLC

TOTALS: 1, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 29, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 27, 2020 at the address(es) listed below:

David A. Rice on behalf of Debtor Brandy Nicole Bartlett ricelaw1@verizon.net,
lowdenscott@gmail.com
James Warmbrodt on behalf of Creditor Carrington Mortgage Services LLC
bkgroup@kmllawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winneccour cmecf@chapter13trusteewdpa.com
Scott R. Lowden on behalf of Debtor Brandy Nicole Bartlett niclowlgl@comcast.net
TOTAL: 5